

**Fill in this information to identify the case:**

Debtor 1 Frank Garcia, Jr

Debtor 2 Kathy H Garcia  
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of IL  
(State)

Case number 20-09194

## Official Form 410S1

**Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: U.S. Bank Trust National Association, as  
Trustee of the Cabana Series III Trust

Court claim no. (if known): 13

Last 4 digits of any number you use to  
identify the debtor's account: 2350

**Date of payment change:**  
Must be at least 21 days after date 10 / 01 / 2021  
of this notice

**New total payment:** \$ 954.07  
Principal, interest, and escrow, if any

**Part 1: Escrow Account Payment Adjustment****1. Will there be a change in the debtor's escrow account payment?**
☐ No

☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 334.12

New escrow payment: \$ 437.39

**Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**
☒ No

☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_%

New interest rate: \_\_\_\_\_%

Current principal and interest payment: \$ \_\_\_\_\_

New principal and interest payment: \$ \_\_\_\_\_

**Part 3: Other Payment Change****3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**
☒ No

☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_

New mortgage payment: \$ \_\_\_\_\_

Debtor 1 Frank Garcia, Jr Case number (if known) 20-09194  
First Name Middle Name Last Name

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

- ☐ I am the creditor.  
☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

**X** /s/ Michelle Ghidotti Date 09/02/2021  
Signature

Print: Michelle Ghidotti Title AUTHORIZED AGENT  
First Name Middle Name Last Name

Company Ghidotti/Berger LLP.

Address 1920 Old Tustin Ave.  
Number Street  
Santa Ana, CA 92705  
City State ZIP Code

Contact phone (949) 427 - 2010 Email bknotifications@ghidottiberger.com



323 FIFTH STREET  
EUREKA CA 95501

(800) 603-0836  
Para Español, Ext. 2660, 2643 o 2772  
8:00 a.m. - 5:00 p.m. Pacific Time  
Main Office NMLS #5985  
Branch Office NMLS #9785

FRANK GARCIA  
226 WHITEWOOD DR  
STREAMWOOD IL 60107

Analysis Date: August 31, 2021

Final

Property Address: 226 WHITEWOOD DRIVE STREAMWOOD, IL 60107

Loan:

**Annual Escrow Account Disclosure Statement  
Account History**

This is a statement of actual activity in your escrow account from Feb 2021 to Sept 2021. Last year's anticipated activity (payments to and from your escrow account) is next to the actual activity.

<b>Payment Information</b>	<b>Current:</b>	<b>Effective Oct 01, 2021:</b>
Principal & Interest Pmt:	516.68	516.68
Escrow Payment:	334.12	437.39
Other Funds Payment:	0.00	0.00
Assistance Payment (-):	0.00	0.00
Reserve Acct Payment:	0.00	0.00
Total Payment:	\$850.80	\$954.07

<b>Escrow Balance Calculation</b>	
Due Date:	May 01, 2017
Escrow Balance:	(17,130.98)
Anticipated Pmts to Escrow:	17,708.36
Anticipated Pmts from Escrow (-):	1,471.15
Anticipated Escrow Balance:	(\$893.77)

Date	Payments to Escrow		Payments From Escrow		Description	Escrow Balance	
	Anticipated	Actual	Anticipated	Actual		Required	Actual
					Starting Balance	0.00	(15,692.32)
Feb 2021				1,850.50	* County Tax	0.00	(17,542.82)
May 2021				445.06	* Forced Place Insur	0.00	(17,987.88)
Jun 2021		574.00			* Escrow Only Payment	0.00	(17,413.88)
Jun 2021				128.94	* Forced Place Insur	0.00	(17,542.82)
Jul 2021		2,338.84			*	0.00	(15,203.98)
Jul 2021				1,927.00	* Homeowners Policy	0.00	(17,130.98)
					Anticipated Transactions	0.00	(17,130.98)
Aug 2021		17,374.24		1,471.15	County Tax		(1,227.89)
Sep 2021		334.12					(893.77)
	\$0.00	\$20,621.20	\$0.00	\$5,822.65			

An asterisk (\*) indicates a difference from a previous estimate either in the date or the amount. If you want a further explanation, please call our toll-free number.

Last year, we anticipated that payments from your account would be made during this period equaling 0.00. Under Federal law, your lowest monthly balance should not have exceeded 0.00 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

**Annual Escrow Account Disclosure Statement  
Projections for Coming Year**

This is an estimate of activity in your escrow account during the coming year based on payments anticipated to be made to and from your account.

Date	Anticipated Payments		Description	Escrow Balance	
	To Escrow	From Escrow		Anticipated	Required
			Starting Balance	(893.77)	874.75
Oct 2021	437.39			(456.38)	1,312.14
Nov 2021	437.39			(18.99)	1,749.53
Dec 2021	437.39			418.40	2,186.92
Jan 2022	437.39			855.79	2,624.31
Feb 2022	437.39			1,293.18	3,061.70
Mar 2022	437.39	1,850.50	County Tax	(119.93)	1,648.59
Apr 2022	437.39			317.46	2,085.98
May 2022	437.39			754.85	2,523.37
Jun 2022	437.39			1,192.24	2,960.76
Jul 2022	437.39			1,629.63	3,398.15
Aug 2022	437.39	1,471.15	County Tax	595.87	2,364.39
Aug 2022		1,927.00	Homeowners Policy	(1,331.13)	437.39
Sep 2022	437.39			(893.74)	874.78
	<u>\$5,248.68</u>	<u>\$5,248.65</u>			

(Please keep this statement for comparison with the actual activity in your account at the end of the escrow accounting computation year.)

Your escrow balance contains a cushion of 437.39. A cushion is an additional amount of funds held in your escrow balance to prevent the balance from becoming overdrawn when an increase in the disbursement amount occurs. Under Federal law, your lowest monthly balance should not exceed 874.78 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

Your ending balance from the last month of the account history (escrow balance anticipated) is (893.77). Your starting balance (escrow balance required) according to this analysis should be \$874.75. This means you have a shortage of 1,768.52. This shortage may be collected from you over a period of 12 months or more unless the shortage is less than 1 month's deposit, in which case we have the additional option of requesting payment within 30 days. We have decided to do nothing.

We anticipate the total of your coming year bills to be 5,248.65. We divide that amount by the number of payments expected during the coming year to obtain your escrow payment.

<b>New Escrow Payment Calculation</b>	
Unadjusted Escrow Payment	437.39
Surplus Amount:	0.00
Shortage Amount:	0.00
Rounding Adjustment Amount:	0.00
Escrow Payment:	\$437.39

NOTICE OF RIGHT TO CANCEL PRIVATE MORTGAGE INSURANCE: If you currently pay private mortgage insurance premiums, you may have the right to cancel the insurance. In most cases, you have the right to cancel private mortgage insurance if the principal balance of your loan is 80 percent or less of the current fair market appraised value of your home, and you have a good payment history on your loan. If you want to learn whether you are eligible to cancel this insurance, please contact us at 323 Fifth Street, Eureka, Ca 95501 or 800-603-0836.

**\* Please note if you have autopay/EFT set up on your loan, it is your responsibility to make sure your payment amount is updated. Enclosed is the EFT form that needs to be completed. Once completed, please fax to the number listed on the EFT form or return in the self-addressed envelope.**

**CERTIFICATE OF SERVICE**

On September 2, 2021, I served the foregoing documents described as Notice of mortgage payment change on the following individuals by electronic means through the Court's ECF program:

COUNSEL FOR DEBTOR

**David H Cutler**

[cutlerfilings@gmail.com](mailto:cutlerfilings@gmail.com)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Maben May

Maben May

On September 2, 2021, I served the foregoing documents described as Notice of mortgage payment change on the following individuals by depositing true copies thereof in the United States mail at Santa Ana, California enclosed in a sealed envelope, with postage paid, addressed as follows:

DEBTOR

**Frank Garcia, Jr**

226 Whitewood Dr.

Streamwood, IL 60107

**Kathy H Garcia**

226 Whitewood Dr.

Streamwood, IL 60107

***Trustee***

**M.O. Marshall**

55 E. Monroe Street, Suite 3850

Chicago, IL 60603

***U.S. Trustee***

**Patrick S Layng**

Office of the U.S. Trustee, Region 11

219 S Dearborn St

Room 873

Chicago, IL 60604

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Maben May

Maben May